

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ANDRE TAYLOR,
Plaintiffs,

v.

JENNIFER MARY HOFFMAN, *et al.*,
Defendants.

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CIVIL ACTION NO. 20-CV-5837

ORDER

AND NOW, this 6th day of January, 2022, upon consideration of Andre Taylor's Motion to Proceed *In Forma Pauperis* (ECF No. 10), Prisoner Trust Fund Account Statement (ECF No. 11), and *pro se* Amended Complaint (ECF No. 7), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Andre Taylor, #NN-2466, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Superintendent of State Correctional Institution – Dallas or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Taylor's inmate account; or (b) the average monthly balance in Taylor's inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Taylor's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Taylor's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Superintendent of State Correctional Institution – Dallas.
4. The Amended Complaint (ECF No. 7) is **DEEMED** filed.
5. Taylor's Amended Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), and for seeking monetary relief from a defendant who is immune from such relief pursuant to § 1915(e)(2)(B)(iii), for the reasons stated in the Court's Memorandum.
6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Hon. C. Darnell Jones II

C. DARNELL JONES, II, J.